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NATIONAL CABLE & TELECOMMUNICATIONS ASSOCIATION

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February 5, 2004

EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: CS Docket No. 98-120

Dear Ms. Dortch:

On February 4, 2004, Daniel Brenner, Michael Schooler and Diane Burstein of the National Cable & Telecommunications Association met with Jonathan Cody, Legal Advisor to the Chairman. During the meeting, consistent with our written submissions in the above-captioned proceeding, we argued that the Commission should not grant broadcasters any right to mandatory carriage of their digital signal prior to return of their analog signal.

Respectfully submitted,

/s/ Daniel L. Brenner

Daniel L. Brenner